

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13

SEARS, ROEBUCK AND CO.

And

Case No. 13-CA-191829

**LOCAL 881 UNITED FOOD AND COMMERCIAL
WORKERS**

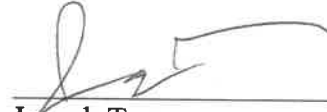
**LOCAL 881 UFCW'S CROSS EXCEPTIONS TO THE
ADMINISTRATIVE LAW JUDGES DECISION AND ORDER**

On August 17, 2018, Administrative Law Judge Kimberly R. Sorg-Graves issued a decision in the above-captioned case. Pursuant to Section 102.46 of the Board's Rules and Regulations, Local 881 UFCW hereby files the following cross-exceptions:

1. To the ALJ's decision not to apply the holding in *Craftool Mfg. Co.*, 229 NLRB 634 (1977) as controlling in erroneously finding that Respondent did not violate the Act by providing employee Barbara Gregory with a decertification petition in violation of Section 8(a)(1) when she did not request one. (ALJD 10: 9-11)
2. To the ALJ's finding that Harris's discussions with Gregory concerning how to exclude certain employees from union representation and the providing of a decertification petition form in responses to Barbara Gregory's questions constituted no more than ministerial aid. (ALJD 11: 21-25)
3. To the ALJ's finding that Gregory had a predetermined goal when she walked into Harris' office and Harris provided her with information to reach that goal. (ALJD 11: 14-19)
4. To the ALJ's failure to find that Respondent did not violate Section 8(a)(1) of the Act by soliciting, supporting, or assisting in the initiation and signing of a decertification petition or by providing a copy of the decertification petition to Mr. Gregory. (ALJD 1; 25-28)
5. To the ALJ's failure to find that Respondent's withdrawal of recognition based upon the decertification petition tainted by Respondent's conduct violated Section 8(a)(5) of the Act.

Dated: October 29, 2018 at Chicago, Illinois

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Joseph Torres', is written over a horizontal line.

Joseph Torres
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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of October, 2018, a copy of the **LOCAL 881 UFCW'S CROSS EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE'S DECISION AND ORDER** was filed electronically with the Board's E-Filing System and also in the manner indicated upon the following parties of record and their counsel:

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